

Message Text

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ACTION EA-09

INFO OCT-01 ISO-00 PM-04 MC-02 NSC-05 SP-02 SS-15 CIAE-00
INR-07 NSAE-00 ACDA-07 AID-05 IGA-02 OMB-01 TRSE-00
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CINCPAC HONOLULU

C O N F I D E N T I A L SECTION 1 OF 2 BANGKOK 34188

CINCPAC ALSO FOR POLAD

E.O. 11652: GDS
TAGS: MMOL, MILL, MASS, TH
SUBJECT: AMMUNITION IN THAILAND

REF: (A) BANGKOK 30966 (B) STATE 299087

SUMMARY. THE RTG HAS APPROVED PROPOSAL TO PURCHASE AIT UNDER
TERMS OF DRAFT MOA. TO AVOID ANY POSSIBLE CONFUSION ARISING
FROM THE MANY CHANGES TO THE MOA, MISSION TRANSMITS COMPLETE
FINAL TEXT ON AIG AS AGREED BY MISSION AND RTG NEGOTIATORS
AND APPROVED AT CABINET LEVEL. REQUEST APPROVAL AND
AUTHORITY TO SIGN PENDING REQUIRED CONGRESSIONAL REVIEW
AND CONSENT. END SUMMARY.

1. TEXT OF MOA ON AMMUNITION IN THAILAND (HEADING)
AMMUNITION IN THAILAND MEMORANDUM OF AGREEMENT (END HEADING)
TEXT: SUBJECT TO AND WITH THE PRIOR UNDERSTANDING THAT THE
ROYAL THAI GOVERNMENT (RG) AND THE UNITED STATES GOVERNMENT
(USG) HAVE AGREED IN PRINCIPLE TO THE STORAGE IN ROYAL
THAI ARMED FORCES (RTARF) FACILITIES OF AMMUNITION
BELONGING TO THE UNITED STATES DEPARTMENT OF DEFENSE
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(DOD), THE FOLLOWING MEMORANDUM OF AGREEMENT (MOA) IS
PROVIDED TO AMPLIFY AND CLARIFY THE BASIC AGREEMENT.

1. THE TERM AMMUNITION IN THAILAND (AIT) REFERS TO
THE APPROXIMATELY 14,500 SHORT TONS OF US-TITLED
AMMUNITION STOCKS STORED IN THAILAND UNDER THE TERMS

OF THIS MOA.

2. RTARF SUPREME COMMAND HEADQUARTERS (SCHQ) WILL BE THE RTG EXECUTIVE AGENT FOR AIT. THE JOINT UNITED STATES MILITARY ADVISORY GROUP, THAILAND (JUSMAGTHAI) WILL BE THE USG EXECUTIVE AGENT FOR AIT. A COORDINATING GROUP KNOWN AS THE AMMUNITION IN THAILAND COORDINATING COMMITTEE CONSISTING OF THREE REPRESENTATIVES FROM EACH EXECUTIVE AGENT WILL BE APPOINTED TO COORDINATE SCHQ/JUSMAGTHAI RESPONSIBILITIES UNDER THE TERMS AND CONDITIONS OF THIS MOA, AND WILL PREPARE NECESSARY ADDITIONAL IMPLEMENTING INSTRUCTIONS OR STANDING OPERATING PROCEDURES AS REQUIRED. SUCH INSTRUCTIONS AND PROCEDURES SHALL BE SUBJECT TO REVIEW BY BOTH GOVERNMENTS BEFORE THEY ENTER INTO FORCE.

3. THE RTG AGREES TO PURCHASE THE AIT PROGRAM STOCKS AS-IS, WHERE-IS NOT LATER THEN 15 APRIL 1977. THE PURCHASE WILL BE EFFECTED BY MEANS OF TWO LETTERS OF OFFER AND ACCEPTANCE (DD FORM 1513) (ONE FOR U.S. ARMY MANAGED AMMUNITION AND ONE FOR U.S. AIR FORCE MANAGED AMMUNITION) ISSUED IN ACCORDANCE WITH THE U.S. FOREIGN MILITARY SALES (FMS) PROGRAM. THE RTG WILL MAKE AN INITIAL PAYMENT FOR AT LEAST TWENTY PERCENT OF THE CURRENT VALUE OF THE AIT STOCKS. THE RTG WILL PAY FOR THE AIT STOCKS REMAINING AFTER THE INITIAL PAYMENT IN THREE EQUAL PAYMENTS PRIOR TO THE 31ST OF OCTOBER 1977, 1978 AND 1979. PAYMENTS MAY BE MADE BY CASH, BY FOREIGN MILITARY SALES (FMS) CREDIT (IF SUCH CREDIT IS AVAILABLE, OR BY A COMBINATION OF THESE METHODS. THE INITIAL PAYMENT MAY
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USE A PORTION OF THE \$36.7 MILLION AVAILABLE UNDER THE FY76 FMS CREDIT AGREEMENT SIGNED BETWEEN THE RTG AND THE USG. THESE CREDITS MAY HAVE A NINE-YEAR REPAYMENT SCHEDULE. THIS INITIAL PAYMENT WILL HAVE A VALUE OF AT LEAST \$9.5 MILLION. THE TWO LETTERS OF OFFER AND ACCEPTANCE (DD FORM 1513) (ONE FOR U.S. ARMY MANAGED AMMUNITION AND ONE FOR U.S. AIR FORCE MANAGED AMMUNITION) FOR THE PURCHASE OF ALL THE AIT STOCKS MUST BE SIGNED BY THE RTG NOT LATER THAN 15 APRIL 1977. AIT STOCKS PURCHASED BY THE RTG WILL BE TITLE TRANSFERRED AT THE TIME OF PAYMENT AND DROPPED FROM USG ACCOUNTABILITY RECORDS. UPON TITLE TRANSFER OF ALL AIG STOCKS, THE USG PERSONNEL ASSOCIATED WITH THE AIT PROGRAM WILL BE WITHDRAWN FROM THAILAND.

4. THE COST AND OTHER TERMS AND CONDITIONS OF THE PURCHASE OF THE AIT STOCKS WILL REMAIN UNCHANGED DURING THE PAYMENT PERIOD FROM THE DATE OF SIGNATURE OF THE TWO

FMS CASES (ONE FOR U.S. ARMY MANAGED AMMUNITION AND ONE FOR U.S. AIR FORCE MANAGED AMMUNITION) TO 31 OCTOBER 1979.

5. THE RTG AGREES TO PERMIT SUFFICIENT USG PERSONNEL TO REMAIN IN THAILAND TO ASSURE ADEQUATE PROTECTION, CONTROL, MAINTENANCE, ACCOUNTABILITY AND QUALITY ASSURANCE (SURVEILLANCE) OF AIT PROGRAM STOCKS. ALL USG PERSONNEL IN THAILAND IN SUPPORT OF THE AIT PROGRAM WILL BE ASSIGNED OR ATTACHED TO JUSMAGTHAI.

6. THE RTG AGREES TO PROVIDE SECURITY FOR THE AIT STOCKS AND OTHER USG PROPERTY PRESENT IN THAILAND IN SUPPORT OF AIT.

7. THE RTG AGREES THAT PRIOR TO PURCHASE AIT STOCKS REMAIN THE CONTROL OF THE USG, WHOSE REPRESENTATIVES RETAIN AUTHORITY TO TAKE INVENTORY OF AND HAVE ACCESS TO THE AMMUNITION SO STORED.
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8. AIT STOCKS WILL INITIALLY BE STORED IN THE KORAT AMMUNITION STORAGE DEPOT (KASD) LOCATED IN THE VICINITY OF KORAT, THAILAND. THE RTG AGREES THAT AIT STOCKS WILL NOT BE REMOVED FROM THE KASD OR OTHER USG APPROVED STORAGE LOCATIONS WITHOUT THE PRIOR APPROVAL OF THE USG AIT ACCOUNTABLE OFFICER. KEYS TO THE AIT STORAGE BUILDINGS, WAREHOUSE, IGLOOS AND MAGAZINES WILL REMAIN IN THE CUSTODY OF THE USG AIT ACCOUNTABLE OFFICER. STOCKS PURCHASED BY THE RTG MAY BE RETAINED IN THE KASD STORAGE FACILITY OR MAY BE REMOVED BY THE RTG. COSTS ASSOCIATED WITH THE MOVEMENT OF RTG PURCHASED STOCKS WILL BE BORNE BY THE RTG. THE RTG WILL INSURE THAT ALL RTG STOCKS ARE DISTINCTIVELY MARKED AND PHYSICALLY SEGREGATED FROM AIT STOCKS. RTG STOCKS WHICH ARE STORED IN THE SAME STORAGE FACILITY AS AIT STOCKS WILL BE STORED IN ACCORDANCE WITH US ARMY SAFETY STANDARDS. THE RTG AGREES TO RECEIVE, STORE, ISSUE, WAREHOUSE, REWAREHOUSE AND TRANSPORT ALL STOCKS IN THE KASD IN COMPLIANCE WITH US ARMY STANDARDS.

9. THE USG NEED NOT REPLACE ANY ITEM IN THE AIT STOCKPILE WHICH MAY BECOME UNSERVICEABLE FOR ANY CAUSE, OR WHICH MAY DISAPPEAR AS A RESULT OF THEFT, FIRE, NATURAL DISASTER OR ANY OTHER CAUSE. THE RTG AGREES TO REIMBURSE THE USG FOR ALL AIT STOCKS WHICH MAY DISAPPEAR OR BE DESTROYED DUE TO NEGLIGENCE, INATTENTION OR MALFEASANCE OF RTG PERSONNEL. ONCE THE TWO FMS CASES (ONE FOR U.S. ARMY MANAGED AMMUNITION AND ONE FOR U.S. AIR FORCE MANAGED AMMUNITION) FOR

THE PURCHASE OF ALL THE AIT STOCKS HAVE BEEN SIGNED, THE
USG WILL UNDERTAKE NOT TO WITHDRAW THE AIT STOCKS. HOW-
EVER, IF THE TITLE TRANSFER IS NOT COMPLETED PRIOR TO
31 OCTOBER 1979, THE USG RESERVES THE RIGHT TO REMOVE
FROM THAILAND ANY OR ALL AIT STOCKS FOR WHICH TITLE HAS
NOT BEEN TRANSFERRED. PRIOR TO THE SIGNATURE OF THE TWO
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FMS CASES AND AFTER 31 OCTOBER 1979, THE RTG AGREES TO
PROVIDE DUTY-FREE CUSTOMS CLEARANCE FOR REMOVAL FROM
THAILAND OF USG TITLED AIT AMMUNITION IMMEDIATELY UPON
RECEIPT OF A USG REQUEST. SHOULD THE WITHDRAWAL FROM
THAILAND OF ANY OF THE USG TITLED AIT STOCKS BE NECES-
SARY FOR ANY REASON, THE RTG WILL PROVIDE TRANSPORTATION
FROM THE STORAGE FACILITY TO THE ONLOADING PORT AND
STEVEDORING AND PORT OPERATIONS SERVICES; THE USG SHALL
REIMBURSE THE RTG FOR THE COST OF SUCH TRANSPORTATION
AND SERVICES.

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ACTION EA-09

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INR-07 NSAE-00 ACDA-07 AID-05 IGA-02 OMB-01 TRSE-00
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TO SECSTATE WASHDC 7395
INFO SECDEF WASHDC
CINCPAC HONOLULU

C O N F I D E N T I A L SECTION 2 OF 2 BANGKOK 34188

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10. FACILITIES MAINTENANCE AND FIRE PROTECTION FOR THE
AIR STOCKS WILL BE PROVIDED BY THE RTG. U.S. ARMY
STANDARDS APPLY FOR ALL MATTERS AFFECTING THE
SAFETY OF AMUNITION AND PERSONNEL. RTG STANDARDS APPLY

IN ALL OTHER AREAS.

11. COSTS INCIDENT TO MAINTENANCE OF THE AIR STOCKS WILL BE BORNE BY THE RTG. PRIOR TO THE ACTUAL WORK BEING PERFORMED, AMMUNITION MAINTENANCE MUST BE APPROVED BY THE USG.

12. COSTS ASSOCIATED WITH THE RETENTION OF THE AIR PROGRAM STOCKS INCLUDING, BUT NOT LIMITED TO, SECURITY, STORAGE, ISSUE, WAREHOUSING, REWAREHOUSING, MAINTENANCE, ACCOUNTABILITY AND SURVEILLANCE OF AIR STOCKS; ADMINISTRATIVE SUPPORT OF AIT PERSONNEL; AND FACILITIES MAINTENANCE AND FIRE PROTECTION FOR THE STORAGE FACILITIES WILL BE BORNE BY THE RTG, EXCLUDING SALARIES OF U.S. PERSONNEL REQUIRED FOR OVERSIGHT OF THE STOCKS. THESE RETENTION COSTS WILL BE PURCHASED UNDER A SEPARATE FOREIGN MILITARY SALES (FMS) CASE.
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13. THE RTG WILL ASSURE THAT THE U.S. ARMY SAFETY REQUIREMENTS FOR AMMUNITION STORAGE ARE MET. IF APPROPRIATE, THE USG AGREES TO PROCESS REQUESTS FOR WAIVER OF THOSE SAFETY REQUIREMENTS IN PARTICULAR CIRCUMSTANCES WHEN SO REQUESTED BY THE RTG. THE UNITED STATES ARMY CENTRAL AMMUNITION MANAGEMENT OFFICE-PACIFIC (CAMO-PAC) IS DESIGNATED AS THE APPROVAL AUTHORITY FOR AMMUNITION EXPLOSIVE SAFETY WAIVER REQUESTS.

14. STOCK RECORD ACCOUNTABILITY AND QUALITY ASSURANCE (SURVEILLANCE) REMAIN THE RESPONSIBILITY OF THE USG. TEST WEAPONS REQUIRED TO FUNCTION TEST THE AMMUNITION WILL BE PROVIDED BY THE RTG. STORAGE, ISSUE, WAREHOUSING, REWAREHOUSING (AS APPROVED BY THE USG AIR ACCOUNTABLE OFFICER) AND EXPLOSIVE ORDNANCE DISPOSAL SUPPORT WILL BE PROVIDED BY THE RTG.

15. THE USG SHALL NOT BE RESPONSIBLE, NOR LIABLE, FOR ANY DAMAGE, INJURY OR HARM ARISING OUT OF OR IN ANY WAY ASSOCIATED WITH THE AMMUNITION STORED AT KASD. RTG WILL PROTECT, IDEMNIFY AND HOLD THE USG AND ITS PERSONNEL ASSIGNED OR ATTACHED TO KASD HARMLESS FROM ANY AND ALL CLAIMS RELATING TO SUCH DAMAGE, INJURY OR HARM.

16. THE USG AIT ACCOUNTABLE OFFICER AND THE RTG KASD COMMANDER WILL CONDUCT AN INITIAL 100 PERCENT JOINT INVENTORY AND INFORM THE AIT COORDINATING COMMITTEE IN WRITING OF THE ITEMS, QUANTITIES ON HAND AND CONDITION CODES OF THE AIT STOCKS. THE USG AIT ACCOUNTABLE OFFICER AND THE RTG KASD COMMANDER WILL CONDUCT QUARTERLY

100 PERCENT INVENTORIES OF AIT STOCKS. DISCREPANCIES
BETWEEN ACTUAL INVENTORY AND ACCOUNTABLE STOCK RECORDS
WILL BE REPORTED TO THE AIT COORDINATING COMMITTEE.

17. THE RTG WILL PROVIDE AT KASD OR OTHER USG
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APPROVED STORAGE FACILITIES SUITABLE ADMINISTRATIVE
SPACE FOR USG USE IN SUPPORT OF AIT AND COMMON USER
COMMUNICATIONS, UTILITIES (ELECTRICITY AND POTABLE WATER),
AND MOGAS FOR THE MOD VEHICLES PROVIDED TO THE USG AIT
PERSONNEL.

18. USG MANNING FOR AIT (ASSUMING ONLY ONE STORAGE
FACILITY) WILL BE:

TITLE	GRADE	AUTHORIZED
PROGRAM MANAGER	MAJ	1
ACCOUNTAGLE OFFICER	CPT	1
CHIEF, STOCK CONTROL NCO	E-8	1
AMMUNITION INSPECTOR	E-7	1
QASAS	GS-12	1
SECRETARY/TRANSLATOR	TS-07	1
INVENTORY MANAGEMENT SPECIALIST	TG-07	1
STOCK INVENTORY CLERK	TG-05	4
STOCK RECORD CLERK	TG-05	2
A CHIEF, AMMUNITION INSPECTOR	TG-08	1
AMMUNITION INSPECTOR	TG-07	2
DRIVER	TG-05	5
TOTAL	---	21

THE RTG AGREES TO REPLACE THE 16 LOCAL WAGE RATE (LWR)
PERSONNNEL INDICATED ABOVE WITH RTG PERSONNEL UPON REQUEST
OF THE USG OR WHEN USG EMPLOYMENT OF THE PRESENT EMPLOYEES
TERMINATES. SUITABLE ENGLISH SPEAKING PERSNNEL WILL
BE PROVIDED BY THE RTG TO FILL THE 16 LWR POSITIONS.
THE USG AGREES THAT WHEN POSSIBLE AIT PERSONNEL WILL BE
MADE AVAILABLE TO PROVIDE TECHNICAL ADVICE, ASSISTANCE
AND TRAINING ON MUNITIONS AND EXLOSIVE MATTERS AS
REQUESTED BY THE RTG. COORDINATION FOR THIS TRAINING
WILL BE EFFECTED AT THE LOWEST POSSIBLE LEVEL.

19. ADJUSTMENTS TO THIS MOA MAY BE MADE AT ANY TIME
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WITH THE MUTUAL CONSENT OF THE RTG AND USG. RECOMMENDED

ADDITIONS, DELETIONS AND CHANGES WILL BE SUBMITTED TO
THE AIT COORDINATING COMMITTEE. COORDINATION WILL BE
EFFECTED AT THE LOWEST LEVEL AS FOLLOWS:
UNITED STATES GOVERNMENT ROYAL THAI GOVERNMENT

ACCOUNTAGBLE OFFICER, KASD COMMANDER, KASD
AIT PROGRAM MANAGER, BANGKOK RTARF SCHQ J4
AIT COORDINATING COMMITTEE AIT COORDINATING COMMITTEE
CHIEF, JUSMAGTHAI CHIEF OF STTAFF, RTART SCHQ
AMERICAN EMBASSY MINISTRY OF FOREIGN AFFAIRS

20. THIS MEMORANDUM OF AGREEMENT WILL ENTER INTO FORECE
ON THE DATE OF SIGNATURE HEREON AND SHALL REMAIN IN FORCE
UNTIL TERMINATION BY MUTUAL AGREEMENT BETWEEN THE TWO
EXECUTIVE AGENTS. SIGNED AT BANGKOK IN ENGLISH AND THAI
LANGUAGES, BOTH TEXTS BEING EQUALLY AUTHENTIC, THIS

DAY OF .
FOR THE JOINT FOR THE SUPREME
UNITED STATES MILITARY COMMAND HEADQUATERS,
ADVISORY GROUP, THAILAND ROYAL THAI GOVERNMENT

END TEXT.
2. REQUEST APPROVAL OF ABOVE TEXT AND AUTHORITY TO SIGN
MOA AS SOON AS REQUIRED CONGRESSIONAL REVIEW AND CONSENT OBTAINED.
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